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112TH CONGRESS
2D SESSION

H. R. 665

[Report No. 112–402]

To establish a pilot program for the expedited disposal of Federal real property.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2011

Mr. CHAFFETZ (for himself, Ms. FOXX, Mr. JONES, Mr. BRADY of Texas, Mr. HUELSKAMP, Mr. WOMACK, Mr. CAMPBELL, Mr. GINGREY of Georgia, Mr. FLAKE, Mr. CRAWFORD, Mr. PRICE of Georgia, Mr. BISHOP of Utah, Mr. LAMBORN, Mr. ISSA, Mr. FLEMING, Mr. HERGER, Mr. WILSON of South Carolina, Mr. ROE of Tennessee, Mr. KLINE, Mrs. BLACKBURN, Mr. MARCHANT, Mr. FLORES, and Mr. BURTON of Indiana) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

FEBRUARY 27, 2012

Additional sponsors: Mr. PITTS, Mr. SCHOCK, Mr. ROKITA, Mrs. HARTZLER, Mr. LONG, Mr. QUAYLE, Mr. KELLY, Mr. YODER, Mr. QUIGLEY, Mr. CALVERT, Mr. FRANKS of Arizona, Mr. LABRADOR, Mr. DANIEL E. LUNGREN of California, Mr. FARENTHOLD, Mr. NEUGEBAUER, Mr. MULVANEY, and Mrs. BLACK

FEBRUARY 27, 2012

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 11, 2011]

A BILL

To establish a pilot program for the expedited disposal of
Federal real property.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Excess Federal Building*
 5 *and Property Disposal Act of 2011”.*

6 **SEC. 2. FEDERAL REAL PROPERTY DISPOSAL PILOT PRO-**
 7 **GRAM.**

8 *(a) IN GENERAL.—Chapter 5 of subtitle I of title 40,*
 9 *United States Code, is amended by adding at the end the*
 10 *following new subchapter:*

11 **“SUBCHAPTER VII—EXPEDITED DISPOSAL OF**
 12 **REAL PROPERTY**

13 **“§ 621. Federal real property disposal pilot program**

14 *“(a) IN GENERAL.—The Administrator of General*
 15 *Services (in this subchapter referred to as the ‘Adminis-*
 16 *trator’), in consultation with the Director of the Office of*
 17 *Management and Budget (in this subchapter referred to as*
 18 *the ‘Director’), shall conduct a pilot program to be known*
 19 *as the ‘Federal Real Property Disposal Pilot Program’,*
 20 *under which the Administrator, in consultation with the*
 21 *Director, shall determine which 15 Federal Government real*
 22 *properties that are excess or surplus and have the highest*
 23 *fair market value and the greatest potential to sell and shall*
 24 *dispose of such properties in accordance with this sub-*
 25 *chapter and through an expedited disposal of real property.*

1 “(b) *DISPOSAL.*—During the five-year period begin-
2 ning on the date of the enactment of the Excess Federal
3 Building and Property Disposal Act of 2011, the Adminis-
4 trator, in consultation with the Director, shall dispose of
5 real property under the Federal Real Property Disposal
6 Pilot Program through a public auction.

7 “(c) *ADDING PROPERTIES TO THE PILOT PROGRAM.*—
8 Not later than 15 days after a property is disposed of under
9 subsection (b), the Administrator, in consultation with the
10 Director, shall designate an additional property, in accord-
11 ance with subsection (a), to be disposed of under the Federal
12 Real Property Disposal Pilot Program.

13 “(d) *EXCEPTIONS.*—The Administrator shall not in-
14 clude for purposes of the Federal Real Property Pilot Pro-
15 gram any of the following types of property:

16 “(1) A parcel of real property, building, or other
17 structure located on such real property that is to be
18 closed or realigned under the Defense Base Closure
19 and Realignment Act of 1990 (10 U.S.C. 2687 note).

20 “(2) Properties that are excluded for reasons of
21 national security by the Director of the Office of Man-
22 agement and Budget.

23 “(3) Indian and Native Eskimo properties in-
24 cluding—

1 “(A) any property within the limits of any
2 Indian reservation to which the United States
3 owns title for the benefit of an Indian tribe; and

4 “(B) any property title which is held in
5 trust by the United States for the benefit of any
6 Indian tribe or individual or held by an Indian
7 tribe or individual subject to restriction by the
8 United States against alienation.

9 “(4) Properties operated and maintained by the
10 Tennessee Valley Authority pursuant to the Tennessee
11 Valley Authority Act of 1933 (16 U.S.C. 831 et seq.).

12 “(5) Postal properties owned by the United
13 States Postal Service.

14 “(6) Properties used in connection with river,
15 harbor, flood control, reclamation, or power projects.

16 “(7) Properties that the Administrator has deter-
17 mined are suitable for assignment to the Secretary of
18 the Interior for transfer to a State, a political sub-
19 division or instrumentality of a State, or a munici-
20 pality for use as a public park or recreation area
21 under section 550(e) of this title. In making such de-
22 termination, the Administrator may consider the ap-
23 praised value of the property and the highest and best
24 use.

1 “(e) *GAO REPORT.*—Not later than 24 months after
 2 the date of the enactment of this subchapter, the Comptroller
 3 General of the United States shall submit to Congress and
 4 make publicly available a study of the effectiveness of the
 5 Federal Real Property Pilot Program.

6 “(f) *TERMINATION.*—The Federal Real Property Dis-
 7 posal Pilot Program shall terminate on the date that is five
 8 years after the date of the enactment of the Excess Federal
 9 Building and Property Disposal Act of 2011.

10 **“§ 622. Selection of real properties**

11 “The head of each executive agency shall recommend
 12 properties to the Director for disposal under the Federal
 13 Real Property Pilot Program. The Director, in consultation
 14 with the Administrator, shall then select properties for dis-
 15 posal under the pilot program and notify the recommending
 16 executive agency accordingly.

17 **“§ 623. Expedited disposal requirements**

18 “(a) *EXPEDITED DISPOSAL OF REAL PROPERTY DE-*
 19 *FINED.*—For purposes of this subchapter, an ‘expedited dis-
 20 posal of real property’ is the sale of real property for cash
 21 that is conducted pursuant to the requirements of section
 22 545(a) of this title.

23 “(b) *FAIR MARKET VALUE REQUIREMENT.*—Real
 24 property sold under the Federal Real Property Pilot Pro-
 25 gram may not be sold at less than the fair market value

1 *as determined by the Administrator, in consultation with*
 2 *the Director. Costs associated with disposal may not exceed*
 3 *the fair market value of the property unless the Director*
 4 *approves incurring such costs.*

5 “(c) *MONETARY PROCEEDS REQUIREMENT.—Real*
 6 *property shall be sold under the Federal Real Property Pilot*
 7 *Program only if the property will generate monetary pro-*
 8 *ceeds to the Federal Government, as provided in subsection*
 9 *(b). A disposal of real property under the Federal Real*
 10 *Property Pilot Program may not include any exchange,*
 11 *trade, transfer, acquisition of like-kind property, or other*
 12 *non-cash transaction as part of the disposal.*

13 “(d) *RULE OF CONSTRUCTION.—Nothing in this sub-*
 14 *chapter shall be construed as terminating or in any way*
 15 *limiting authorities that are otherwise available to agencies*
 16 *under other provisions of law to dispose of Federal real*
 17 *property, except as provided in subsection (e).*

18 “(e) *EXEMPTION FROM CERTAIN REQUIREMENTS.—*
 19 *Any expedited disposal of a real property conducted under*
 20 *this subchapter shall not be subject to—*

21 “(1) *subchapter IV of this chapter;*

22 “(2) *sections 550 and 553 of this title;*

23 “(3) *section 501 of the McKinney-Vento Home-*
 24 *less Assistance Act (42 U.S.C. 11411);*

1 “(4) any other provision of law authorizing the
2 no-cost conveyance of real property owned by the Fed-
3 eral Government; or

4 “(5) any congressional notification requirement
5 other than that in section 545 of this title.

6 **“§ 624. Special rules for deposit and use of proceeds**
7 **from expedited disposals**

8 “(a) REIMBURSEMENT.—

9 “(1) EXECUTIVE AGENCY.—An executive agency
10 that conducts an expedited disposal of real property
11 under this subchapter shall be reimbursed from the
12 proceeds of such disposal for the administrative ex-
13 penses associated with such disposal.

14 “(2) GENERAL SERVICES ADMINISTRATION.—The
15 General Services Administration shall be reimbursed
16 the expenses of an expedited disposal of real property
17 under this subchapter on behalf of an executive agen-
18 cy from the proceeds of such disposal.

19 “(3) OFFSETTING COLLECTIONS.—The amounts
20 described in paragraphs (1) and (2) will be credited
21 as offsetting collections to the account that incurred
22 such expenses, to remain available until expended
23 without further appropriations.

1 “(b) *DISTRIBUTION OF PROCEEDS.*—After payment of
 2 the expenses described in subsection (a), the balance of the
 3 proceeds shall be distributed as follows:

4 “(1) *Ninety-eight percent shall be deposited into*
 5 *the General Fund of the Treasury.*

6 “(2) *Two percent shall hereby be made available*
 7 *until expended to fund the grant program under sec-*
 8 *tion 625.*

9 **“§ 625. Homeless assistance grants**

10 “(a) *GRANT AUTHORITY.*—To the extent amounts are
 11 made available pursuant to section 624(b)(2) for use under
 12 this section, the Secretary of Housing and Urban Develop-
 13 ment shall make grants to eligible private nonprofit organi-
 14 zations under subsection (b) to purchase property suitable
 15 for use to assist the homeless as provided in subsection (c).

16 “(b) *ELIGIBLE GRANTEES.*—To be eligible to receive
 17 a grant under subsection (a), a private nonprofit organiza-
 18 tion shall be a representative of the homeless, as such term
 19 is defined in section 501(i)(4) of the McKinney-Vento
 20 Homeless Assistance Act (42 U.S.C. 11411(i)(4)).

21 “(c) *USE OF PROPERTIES FOR HOUSING OR SHELTER*
 22 *FOR THE HOMELESS.*—

23 “(1) *ELIGIBLE USES.*—A nonprofit organization
 24 that receives a grant under subsection (a) shall use
 25 the amounts received under such grant only to ac-

1 *quire or rehabilitate real property for use to provide*
2 *permanent housing (as such term is defined in section*
3 *401 of the McKinney-Vento Homeless Assistance Act*
4 *(42 U.S.C. 11360)), transitional housing (as such*
5 *term is defined in such section 401), or temporary*
6 *shelter, for persons who are homeless.*

7 “(2) *TERM OF USE.*—*The Secretary of Housing*
8 *and Urban Development may not make a grant under*
9 *subsection (a) to a private nonprofit organization un-*
10 *less the organization provides the Secretary with such*
11 *assurances as the Secretary determines necessary to*
12 *ensure that any property acquired or rehabilitated*
13 *using the amounts received under such grant is used*
14 *only as provided in paragraph (1) of this subsection*
15 *for a period of not fewer than 15 years.*

16 “(d) *PREFERENCE.*—*In awarding grants under sub-*
17 *section (a), the Secretary of Housing and Urban Develop-*
18 *ment shall give preference for such grants to private non-*
19 *profit organizations that operate within areas in which*
20 *Federal real property is being sold under the Federal Real*
21 *Property Disposal Pilot Program under this subchapter.*

22 “(e) *NONPROFIT ORGANIZATION.*—*For purposes of this*
23 *section, the following definitions shall apply:*

24 “(1) *HOMELESS.*—*The term ‘homeless’ has the*
25 *meaning given such term in section 103 of the*

8 “(f) *REGULATIONS.*—*The Secretary of Housing and*
9 *Urban Development may issue any regulations necessary*
10 *to carry out this section.*”.

“SUBCHAPTER VII—EXPEDITED DISPOSAL OF REAL PROPERTY

“625. *Homeless assistance grants.*”.

17 (a) *IN GENERAL.*—Section 524 of title 40, United
18 *States Code, is amended to read as follows:*

21 “(a) DUTIES OF THE GENERAL SERVICES ADMINIS-
22 TRATION.—

1 “(1) *GUIDANCE.*—Not later than 6 months after
2 the date of the enactment of this section, and when
3 necessary thereafter, the Administrator of General
4 Services shall issue guidance for the development and
5 implementation of executive agency real property
6 plans. Such guidance shall include recommendations
7 on—

8 “(A) *how to identify excess properties;*

9 “(B) *how to evaluate the costs and benefits*
10 *associated with disposing of real property;*

11 “(C) *how to prioritize disposal decisions*
12 *based on agency missions and anticipated future*
13 *need for holdings; and*

14 “(D) *how best to dispose of those properties*
15 *identified as excess to meet the needs of the agen-*
16 *cy.*

17 “(2) *ASSISTANCE.*—The Administrator shall as-
18 sist executive agencies in the identification and dis-
19 posal of excess real property.

20 “(b) *DUTIES OF EXECUTIVE AGENCIES.*—

21 “(1) *IN GENERAL.*—Each executive agency
22 shall—

23 “(A) *maintain adequate inventory controls*
24 *and accountability systems for property under*
25 *its control;*

1 “(B) continuously survey property under its
2 control to identify excess property;

3 “(C) promptly report excess property to the
4 Administrator;

5 “(D) perform the care and handling of ex-
6 cess property; and

7 “(E) transfer or dispose of excess property
8 as promptly as possible in accordance with au-
9 thority delegated and regulations prescribed by
10 the Administrator.

11 “(2) *SPECIFIC REQUIREMENTS WITH RESPECT*
12 *TO REAL PROPERTY.*—With respect to real property,
13 each executive agency shall—

14 “(A) develop and implement a real property
15 plan in order to identify properties to declare as
16 excess using the guidance issued under subsection
17 (a)(1);

18 “(B) identify and categorize all real prop-
19 erty owned, leased, or otherwise managed by the
20 agency;

21 “(C) establish adequate goals and incentives
22 to reduce excess real property in such agency’s
23 inventory; and

24 “(D) when appropriate, use the authorities
25 in section 572(a)(2)(B) of this title in order to

1 *identify and prepare real property to be reported*
 2 *as excess.*

3 “(3) *ADDITIONAL REQUIREMENTS.—Each execu-*
 4 *tive agency, as far as practicable, shall—*

5 “(A) *reassign property to another activity*
 6 *within the agency when the property is no longer*
 7 *required for the purposes of the appropriation*
 8 *used to make the purchase;*

9 “(B) *transfer excess property under its con-*
 10 *trol to other Federal agencies and to organiza-*
 11 *tions specified in section 321(c)(2) of this title;*
 12 *and*

13 “(C) *obtain excess properties from other*
 14 *Federal agencies to meet mission needs before ac-*
 15 *quiring non-Federal property.”.*

16 (b) *CLERICAL AMENDMENT.—The item relating to sec-*
 17 *tion 524 in the table of sections at the beginning of chapter*
 18 *5 of such title is amended to read as follows:*

 “524. *Duties of the General Services Administration and executive agencies.”.*

19 (c) *GSA REPORT.—*

20 (1) *IN GENERAL.—Not later than three years*
 21 *after the date of the enactment of this Act, the Admin-*
 22 *istrator of General Services shall submit a report to*
 23 *the Committee on Oversight and Government Reform*
 24 *of the House of Representatives and the Committee on*
 25 *Homeland Security and Governmental Affairs of the*

1 *Senate on the implementation of section 524, as*
2 *amended by subsection (a), and each of the following:*

3 *(A) The efforts of each executive agency to*
4 *reduce such agency's real property assets, based*
5 *on data submitted from such agency.*

6 *(B) For each excess and surplus real prop-*
7 *erty facility/installation disposed of, an indica-*
8 *tion of—*

9 *(i) the date and method of disposal;*

10 *(ii) the proceeds obtained from the dis-*
11 *position of such property;*

12 *(iii) the amount of time required to*
13 *fully dispose of excess and surplus real*
14 *property under the custody and control of*
15 *all executive agencies; and*

16 *(iv) the cost to dispose of surplus and*
17 *excess real property under the custody and*
18 *control of all executive agencies.*

19 *(2) DEFINITIONS.—The terms “excess property”,*
20 *“executive agency”, and “surplus property” have the*
21 *meanings given those terms in section 102 of title 40,*
22 *United States Code.*

1 **SEC. 4. ENHANCED AUTHORITIES WITH REGARD TO PRE-**
2 **PARING PROPERTIES TO BE REPORTED AS**
3 **EXCESS.**

4 *Section 572(a)(2) of title 40, United States Code, is*
5 *amended—*

6 *(1) by redesignating subparagraphs (B) and (C)*
7 *as subparagraphs (C) and (D), respectively; and*

8 *(2) by inserting after subparagraph (A) the fol-*
9 *lowing new subparagraph:*

10 *“(B) ADDITIONAL AUTHORITY.—(i) From*
11 *the fund described in paragraph (1), subject to*
12 *clause (iv) of this subparagraph, the Adminis-*
13 *trator may obligate an amount to pay the direct*
14 *and indirect costs related to identifying and pre-*
15 *paring properties to be reported excess by an-*
16 *other agency.*

17 *“(ii) The General Services Administration*
18 *shall be reimbursed from the proceeds of the sale*
19 *of such properties for such costs.*

20 *“(iii) Net proceeds shall be dispersed pursu-*
21 *ant to section 571 of this title.*

22 *“(iv) The authority under clause (i) to obli-*
23 *gate funds to prepare properties to be reported*
24 *excess does not include the authority to convey*
25 *such properties by use, sale, lease, exchange, or*

1 *otherwise, including through leaseback arrange-*
 2 *ments or service agreements.*

3 “(v) *Nothing in this subparagraph is in-*
 4 *tended to affect subparagraph (D).”.*

5 **SEC. 5. ENHANCED AUTHORITIES WITH REGARD TO RE-**
 6 **VERTED REAL PROPERTY.**

7 (a) *AUTHORITY TO PAY EXPENSES RELATED TO RE-*
 8 *VERTED REAL PROPERTY.*—Section 572(a)(2)(A) of title
 9 40, United States Code, is amended by adding at the end
 10 *the following:*

11 “(iv) *The direct and indirect costs as-*
 12 *sociated with the reversion, custody, and*
 13 *disposal of reverted real property.”.*

14 (b) *REQUIREMENTS RELATED TO SALES OF RE-*
 15 *VERTED PROPERTY UNDER SECTION 550.*—Section
 16 550(b)(1) of title 40, United States Code, is amended—

17 (1) *by inserting “(A)” after “(1) IN GENERAL.—*
 18 *”; and*

19 (2) *by adding at the end the following: “If the*
 20 *official, in consultation with the Administrator, rec-*
 21 *ommends reversion of the property, the Administrator*
 22 *shall take control of such property, and, subject to*
 23 *subparagraph (B), sell it at or above appraised fair*
 24 *market value for cash and not by lease, exchange,*
 25 *leaseback arrangements, or service agreements.*

1 “(B) *Prior to sale, the Administrator shall make*
 2 *such property available to State and local govern-*
 3 *ments and certain non-profit institutions or organi-*
 4 *zations pursuant to this section and sections 553 and*
 5 *554 of this title.*”.

6 (c) *REQUIREMENTS RELATED TO SALES OF RE-*
 7 *VERTED PROPERTY UNDER SECTION 553.—Section 553(e)*
 8 *of title 40, United States Code, is amended—*

9 (1) *by inserting “(1)” after “THIS SECTION.—”;*
 10 *and*

11 (2) *by adding at the end the following: “If the*
 12 *Administrator determines that reversion of the prop-*
 13 *erty is necessary to enforce compliance with the terms*
 14 *of the conveyance, the Administrator shall take con-*
 15 *trol of such property and, subject to paragraph (2),*
 16 *sell it at or above appraised fair market value for*
 17 *cash and not by lease, exchange, leaseback arrange-*
 18 *ments, or service agreements.*

19 “(2) *Prior to sale, the Administrator shall make such*
 20 *property available to State and local governments and cer-*
 21 *tain non-profit institutions or organizations pursuant to*
 22 *this section and sections 550 and 554 of this title.*”.

23 **SEC. 6. AGENCY RETENTION OF PROCEEDS.**

24 *The text of section 571 of title 40, United States Code,*
 25 *is amended to read as follows:*

1 “(a) *PROCEEDS FROM TRANSFER OR SALE OF REAL*
2 *PROPERTY.*—

3 “(1) *DEPOSIT OF NET PROCEEDS.*—*Net proceeds*
4 *described in subsection (d) shall be deposited into the*
5 *appropriate real property account of the agency that*
6 *had custody and accountability for the real property*
7 *at the time the real property is determined to be ex-*
8 *cess.*

9 “(2) *EXPENDITURE OF NET PROCEEDS.*—*The net*
10 *proceeds deposited pursuant to paragraph (1) may*
11 *only be expended as authorized in annual appropria-*
12 *tions Acts, for activities described in sections 543 and*
13 *545 of this title, including paying costs incurred by*
14 *the General Services Administration for any disposal-*
15 *related activity authorized by this title.*

16 “(3) *DEFICIT REDUCTION.*—*Any net proceeds de-*
17 *scribed in subsection (d) from the sale, lease, or other*
18 *disposition of surplus real property that are not ex-*
19 *pended under paragraph (2) shall be used for deficit*
20 *reduction.*

21 “(b) *EFFECT ON OTHER SECTIONS.*—*Nothing in this*
22 *section is intended to affect section 572(b), 573, or 574 of*
23 *this title.*

24 “(c) *DISPOSAL AGENCY FOR REVERTED PROPERTY.*—
25 *For the purposes of this section, for any real property that*

1 *reverts to the United States under sections 550 and 553 of*
 2 *this title, the General Services Administration, as the dis-*
 3 *posal agency, shall be treated as the agency with custody*
 4 *and accountability for the real property at the time the real*
 5 *property is determined to be excess.*

6 “(d) *NET PROCEEDS.*—*The net proceeds described in*
 7 *this subsection are proceeds under this chapter, less expenses*
 8 *of the transfer or disposition as provided in section 572(a)*
 9 *of this title, from a—*

10 “(1) *transfer of excess real property to a Federal*
 11 *agency for agency use; or*

12 “(2) *sale, lease, or other disposition of surplus*
 13 *real property.*

14 “(e) *PROCEEDS FROM TRANSFER OR SALE OF PER-*
 15 *SONAL PROPERTY.*—

16 “(1) *IN GENERAL.*—*Except as otherwise provided*
 17 *in this subchapter, proceeds described in paragraph*
 18 *(2) shall be deposited in the Treasury as miscella-*
 19 *neous receipts.*

20 “(2) *PROCEEDS.*—*The proceeds described in this*
 21 *paragraph are proceeds under this chapter from—*

22 “(A) *a transfer of excess personal property*
 23 *to a Federal agency for agency use; or*

24 “(B) *a sale, lease, or other disposition of*
 25 *surplus personal property.*

1 “(3) *PAYMENT OF EXPENSES OF SALE BEFORE*
 2 *DEPOSIT.*—Subject to regulations under this subtitle,
 3 the expenses of the sale of personal property may be
 4 paid from the proceeds of sale so that only the net
 5 proceeds are deposited in the Treasury. This para-
 6 graph applies whether proceeds are deposited as mis-
 7 cellaneous receipts or to the credit of an appropria-
 8 tion as authorized by law.”.

9 **SEC. 7. FEDERAL REAL PROPERTY DATABASE.**

10 (a) *IN GENERAL.*—Subchapter II of chapter 5 of title
 11 40, United States Code, is amended by adding at the end
 12 the following new section:

13 **“§ 530. Federal real property database**

14 “(a) *DATABASE REQUIRED.*—Not later than one year
 15 after the date of the enactment of this section, the Adminis-
 16 trator of General Services shall publish a single, comprehen-
 17 sive, and descriptive database of all Federal real property
 18 under the custody and control of all executive agencies,
 19 other than Federal real property excluded for reasons of na-
 20 tional security, in accordance with subsection (b).

21 “(b) *REQUIRED INFORMATION FOR DATABASE.*—The
 22 Administrator shall collect from the head of each executive
 23 agency descriptive information, except for classified infor-
 24 mation, of the nature, use, and extent of the Federal real
 25 property of each such agency, including the following:

1 “(1) *The geographic location of each Federal real*
2 *property of each such agency, including the address*
3 *and description for each such property.*

4 “(2) *The total size of each Federal real property*
5 *of each such agency, including square footage and*
6 *acreage of each such property.*

7 “(3) *The relevance of each Federal real property*
8 *to the agency’s mission.*

9 “(4) *The level of use of each Federal real prop-*
10 *erty for each such agency, including whether such*
11 *property is excess, surplus, underutilized, or unuti-*
12 *lized.*

13 “(5) *The number of days each Federal real prop-*
14 *erty is designated as excess, surplus, underutilized, or*
15 *unutilized.*

16 “(6) *The annual operating costs of each Federal*
17 *real property.*

18 “(7) *The replacement value of each Federal real*
19 *property.*

20 “(c) *ACCESS TO DATABASE.—*

21 “(1) *FEDERAL AGENCIES.—The Administrator*
22 *shall, in consultation with the Director of the Office*
23 *of Management and Budget, make the database estab-*
24 *lished and maintained under this section available to*
25 *other Federal agencies.*

1 “(2) *PUBLIC ACCESS.*—*To the extent consistent*
 2 *with national security, the database shall be accessible*
 3 *by the public at no cost through the website of the*
 4 *General Services Administration.*

5 “(d) *TRANSPARENCY OF DATABASE.*—*To the extent*
 6 *practicable, the Administrator shall ensure that the data-*
 7 *base—*

8 “(1) *uses an open, machine-readable format;*

9 “(2) *permits users to search and sort Federal*
 10 *real property data; and*

11 “(3) *includes a means to download a large*
 12 *amount of Federal real property data and a selection*
 13 *of such data retrieved using a search.*

14 “(e) *APPLICABILITY.*—*Nothing in this section may be*
 15 *construed to require an agency to make available to the pub-*
 16 *lic information that is exempt from disclosure pursuant to*
 17 *section 552(b) of title 5.”.*

18 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 19 *the beginning of chapter 5 of title 40, United States Code,*
 20 *is amended by inserting after the item relating to section*
 21 *529 the following new item:*

 “530. *Federal real property database.*”.

22 **SEC. 8. SUSTAINABLE DISPOSAL OF PROPERTY.**

23 (a) *IN GENERAL.*—*Subchapter III of chapter 5 of title*
 24 *40, United States Code, is amended by adding at the end*
 25 *the following new section:*

1 **“§ 560. Sustainable disposal of property**

2 *“The head of each Federal agency shall divert at least*
 3 *50 percent of construction and demolition materials and*
 4 *debris by the end of fiscal year 2015.”.*

5 **(b) CLERICAL AMENDMENT.**—*The table of sections at*
 6 *the beginning of chapter 5 of title 40, United States Code,*
 7 *is amended by inserting after the item relating to section*
 8 *559 the following new item:*

“560. Sustainable disposal of property.”.

9 **SEC. 9. STREAMLINING THE MCKINNEY-VENTO HOMELESS**
 10 **ASSISTANCE ACT.**

11 *Section 501 of the McKinney-Vento Homeless Assist-*
 12 *ance Act (42 U.S.C. 11411) is amended—*

13 *(1) in subsection (a), by adding at the end the*
 14 *following new sentence: “Agencies shall not be re-*
 15 *quired to submit information to the Secretary regard-*
 16 *ing properties located in an area for which the gen-*
 17 *eral public is denied access in the interest of national*
 18 *security.”;*

19 *(2) in subsection (c)(1)(A), by striking “in the*
 20 *Federal Register” and inserting the following: “on the*
 21 *website of the Department of Housing and Urban De-*
 22 *velopment or the General Services Administration”;*
 23 *and*

24 *(3) in subsection (d)(3), by adding at the end the*
 25 *following new sentence: “If no such review of the de-*

1 *termination is requested within the 20-day period,*
2 *such property will not be included in subsequent pub-*
3 *lications unless the landholding agency reclassifies the*
4 *property as available and the Secretary subsequently*
5 *determines the property is suitable.”.*

Union Calendar No. 279

112TH CONGRESS
2^D Session

H. R. 665

[Report No. 112-402]

A BILL

To establish a pilot program for the expedited
disposal of Federal real property.

FEBRUARY 27, 2012

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed